

## IN THE HIGH COURT OF JUDICATURE AT BOMBAY

## CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3364 OF 2004

IN

CRIMINAL APPEAL NO.959 OF 2004

The State of Maharashtra

.. Applicant

v/s.

Tukaram Mahipat Khetale

.. Respondent

Smt. V.R.Bhonsale, A.P.P. for the applicant.

**CORAM : R.M.LODHA AND**  
**R.S.MOHITE, JJ.**

**DATED : 10th January, 2005**

**P.C.**

Heard the learned A.P.P.

2. The appeal is barred by 372 days. The impugned judgment and order of acquittal came to be passed on 2nd May, 2003. Admittedly, for more than one year no steps were taken in making the application for certified copy of the judgment and order of acquittal. The application for certified copy was made for the first time on 16th June, 2004. The cause shown in the application is that the delay occurred due to heavy workload, pressure of work and non-availability of stenographers. We are afraid, such general explanation does not constitute sufficient cause justifying condonation of delay of 372 days.

3. Criminal application is, accordingly, rejected.

**(R.M.LODHA, J.)**

**(R.S.MOHITE, J.)**